

**IN THE UNITED STATES DISTRICT COURT** SEP 24 2007  
**FOR THE WESTERN DISTRICT OF VIRGINIA** JOHN F. CORCORAN, CLERK  
**ROANOKE DIVISION** BY: *[Signature]*

SEP 24 2007

BY:

DEPUTY CLERK

BRIAN DENNIS JONES, )  
Petitioner, ) Civil Action No. 7:07CV00125  
 )  
 )  
 )  
v. )  
 ) FINAL ORDER  
 )  
 )  
 )  
 )  
GENE M. JOHNSON, DIRECTOR )  
OF THE VIRGINIA DEPARTMENT )  
OF CORRECTIONS, ) By: Hon. Glen E. Conrad  
Respondent. ) United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby

**ADJUDGED and ORDERED**

that respondent's motion to dismiss shall be and hereby is **GRANTED** and Jones' petition for writ of habeas corpus, pursuant to 28 U.S.C. § 2254, shall be and hereby is **DISMISSED**. This case shall be **STRICKEN** from the active docket of the court.

The Clerk of the Court is directed to send a copy of this Order and accompanying Memorandum Opinion to petitioner.

**ENTER:** This 21<sup>st</sup> day of September, 2007.

Frank Conrad

United States District Judge